

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re Application of EURASIAN NATURAL  
RESOURCES CORPORATION LIMITED  
for an Order Under 28 U.S.C. § 1782 to  
Conduct Discovery for Use in Foreign Proceedings.  
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Case No. \_\_\_\_\_

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/18/19</u>
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**~~PROPOSED~~ ORDER GRANTING APPLICATION FOR JUDICIAL  
ASSISTANCE IN OBTAINING EVIDENCE IN THIS DISTRICT FOR  
USE IN A FOREIGN PROCEEDING PURSUANT TO 28 U.S.C. § 1782**

This matter comes before the Court on the *ex parte* Application of Eurasian Natural Resources Corporation Limited (“ENRC” or “Applicant”), for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery by the Issuance of a Subpoena (the “Application”), which seeks documents, materials, and testimony from Deloitte, LLP in connection with a foreign proceeding pending in the High Court of Justice Business and Property Courts of England and Wales Commercial Court (QBD) captioned: *Eurasian Natural Resources Corporation Limited v. Dechert LLP and David Neil Gerrard*, Claim No. CL-2017-000583 (the “Foreign Proceeding”).

The Court, having considered the Application, the Memorandum of Law in Support of the Application, and the Declaration of Tab K. Rosenfeld in Support of the Application, and good cause appearing, it is hereby ordered that:

1. The Application is **GRANTED**.
2. Applicant is hereby granted leave to issue a subpoena for documents, materials, and testimony in substantially the same form attached as Exhibit “G” to the Declaration of Tab K. Rosenfeld (the “Subpoena”), directing Deloitte, LLP to produce the documents and materials requested in the Subpoena and testify under oath, as requested in the Subpoena.

ORDERED this 18 day of Dec., 20 19

  
UNITED STATES DISTRICT JUDGE